

**Village Council  
Monday,  
October 18, 2010  
7:00 PM**

**Minutes**

**Call to Order:** Mrs. Rush-Ekelberry called the meeting to order at 6:59pm

**Pledge of Allegiance:** Mrs. Rush-Ekelberry led the Pledge of Allegiance.

**Roll Call:**

John Bender	Rick Deeds	Bobbie Mershon
Marilyn Rush-Ekelberry	Leah Turner	James Wynkoop

Dr. Bender moved to excuse Mr. Donahue; seconded by Mrs. Mershon.

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon  
                                      Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

**NAYS**

Motion passed.

**Approval of Minutes:**

Mrs. Mershon moved to accept the minutes from the October 4<sup>th</sup>, 2010 meeting with one correction of Bob Wood's name. Mr. Wynkoop seconded the motion.

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon  
                                      Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

**NAYS**

Motion passed.

**Communications & Petitions:**

A presentation was given by Patrick Losinski, Executive Director of the Columbus Metropolitan Library regarding the bond issue. Mr. Losinski stated that they have 8 million visitors annually to 21 locations. 16.5 million items are circulated with 1 million of those circulating out of the Southeast branch alone. They have Homework help centers which 52,000 children used. They were repurposed in 2009 year to Job Help centers and 40,000 people used the resource. There has been no increase since 2001. They lost 20% of their funding since 2003 resulting in 184 full-time positions being cut. This levy would result in an increase of \$5.25 / month (\$63 / year) per \$100,000 house. It is a 2.2 mil replacement.

Senior Transportation Quarterly statistics were received from Penny Miller.

A letter was received from Eric Schmidt, President of Main Street Canal Winchester in support of the East Waterloo Street Senior Housing Project proposed by Wagenbrenner Development Company and NRP group.

A letter was received of support from 7 downtown businesses for the proposed East Waterloo Street Senior Housing project.

A letter was sent to Appeal the Planning and Zoning Commission decision on October 11, 2010 by William Collier of 180 W. Waterloo Street, Canal Winchester, OH 43110. \*\*The appeal date was set for November 15<sup>th</sup> at 6:30pm.

A letter was received from Scott Neesley of WOW! Internet, Cable and Phone regarding relocation of ESPN Classic to Digital Basic Channel 338. Customers will be required to have Digital Basic Cable to receive the channel effective November 10, 2010.

### **Village Residents Comments:**

Five-minute limit per person

**Mike Jones**, of 35 E. Columbus Street, objected to the proposed senior housing on Waterloo Street. He objects to the three stories, not only for the view, but for the safety for the firefighters. He asked the developers to talk to them one on one.

Mrs. Turner asked what he thought about a two-story. He stated it would be more safe and a better view.

Mrs. Rush-Ekelberry asked if he was aware of the fire hazard of the property as it is now. He stated that he did and that Guernsey Bank, as the owner, has an obligation to get rid of the hazards.

**Kim Stedman**, of 30 E Columbus, asked if Eric Schmidt was a resident. She doesn't believe that he is a resident or has any vested interest in the Village other than being the President of the Main Street Organization. She brought a petition with many signatures of people who are against the project in this space. It was handed in for the record. She doesn't believe there is enough green space or parking. A few trees are not enough. This is the last chance to develop the downtown. She would prefer to put in something commercial. The new Diley Ridge hospital may bring in many opportunities in the future.

**Heidi Findley**, 23 E. Columbus St, is surprised it got this far. Grabbing this offer is the Village following the path of least resistance. Having something with commercial on the first floor and second story apartments would be more appropriate. She questions whether there is really the demand for so much senior housing. This is an inappropriate location for a senior facility of this magnitude. There is another senior housing project which is much further along. She is sad that this community can't think ahead to the future.

**Cindi Lynd**, of 27 E Columbus St. opposed the project as well. The announcement from Planning and Zoning only went to adjoining property owners, and not to others who may be affected. She believes that the zoning of the area is not correct and would allow the property to operate with no residential requirements; no density requirements. Basically, you are allowed to have 3 people in a two bedroom apartment. Only one of them has to have the minimum income and be over 55. Are we really doing this for the senior citizens in Canal Winchester? She fears that our seniors will not be the ones using the facility. They only have to stay for one year. She also questions whether the letters in support from the businesses and from the Main Street Organization are actually from the same people.

Ms. Lynd asked about the transportation ability for all these new seniors who are supposedly not going to have cars, as well as the ability for the Community Center to service this new growth.

Mr. Deeds clarified the residential / commercial zoning issue.

The comparisons made between this project and David's Way are unwarranted. One is for profit and one is not for-profit.

**ORDINANCES:**

## SECOND READING

Sponsor: Mrs. Rush-Ekelberry

O-10-10A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT FOR PROSECUTION OF CRIMINAL CASES IN THE FRANKLIN COUNTY MUNICIPAL COURT AND CERTAIN CIVIL DIVISION CASES FOR THE CALENDAR YEAR 2011 WITH THE CITY OF COLUMBUS ATTORNEYS OFFICE.

Mrs. Rush-Ekelberry read the ordinance; second reading only.

Sponsor: Dr. Bender

O-10-10B AN ORDINANCE TO AUTHORIZE THE MAYOR TO PAY TO DAVE C MCCARTY LONGEVITY PAY UPON HIS RETIREMENT WITH 30 YEARS SERVICE TO THE VILLAGE.

Dr. Bender read the ordinance; second reading only.

Sponsor: Mr. Deeds

O-10-10C AN ORDINANCE TO AMEND THE 2010 APPROPRIATION ORDINANCE 61-09  
Amendment #4

Mr. Deeds read the ordinance; second reading only.

## Remanded Ordinances

Sponsor: Mrs. Rush-Ekelberry (Postponed Indefinitely at Third Reading)

O-10-05F AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE VILLAGE OF CANAL WINCHESTER, REZONING 1.9 ACRES FROM GENERAL COMMERCIAL (GC) TO PLANNED RESIDENTIAL DISTRICT (PRD), OWNED BY WATERLOO CROSSING LIMITED, LOCATED ON THE SOUTHWEST SIDE OF WEST WATERLOO STREET, APPROXIMATELY 100 FEET WEST OF WINCHESTER CEMETERY ROAD

### Mayor's Report:

Mrs. Turner moved to accept Mayor's Court Clerk report for September 2010; seconded by Dr. Bender.

**VOTE:**       **AYES**       Dr. Bender, Mr. Wynkoop, Mrs. Mershon  
Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

## NAYS

Motion passed.

Mayor Ebert noted that we had a foreign exchange student shadow staff last week. She was from the Country of Georgia and is in the Village of Canal Winchester until June 2011. She went to Mayor's

Court, the water plant, WWTP and the community center. She enjoyed her day and decided that she wants to be a judge after attending Mayor's Court.

**Fairfield County Sheriff:**

Sgt Kern read his report.

**Village Solicitor:**

Mr. Hollins stated that we are currently in the initial stages of creating a Canal Winchester centered juvenile diversion program, over which Mayor's Court would preside. We have gotten the go ahead from the prosecutor's office. The juveniles would not be charged, but would instead participate in a juvenile diversion program. If they failed at the diversion, they would go on to Franklin County Juvenile court, where it would be noted that they didn't comply with our diversion and therefore, would not be offered the opportunity to do a diversion through the county. Possible programs would be cleaning up graffiti, voluntary stay-away order from our parks, etc. Mr. Hollins stated that Dr. Bender may have some good ideas for other diversion ideas.

Dr. Bender wanted to see if we could address truancy issues with this program.

Mr. Hollins encouraged people to go out and vote. Anyone that needs more information on the Charter provisions, please ask and we will be glad to help explain.

**Finance Director:**

September 2010 Monthly Financial Statement was included in the packet.

**Public Works Director:**

Gender Rd project is on schedule and 90% plans should be done on November 1<sup>st</sup>.

WPCLF projects are finalized and designed. They will go out for bid on Oct 27<sup>th</sup>.

Tire sweep this Saturday netted 122 tires from Walnut Creek.

Kids Connect will be planting 400 daffodils this weekend.

Leaf pick up continues through December 3<sup>rd</sup>.

Concrete work was done as part of the pool closing maintenance.

Hydrant repair was done on Washington Street.

The Lithopolis Agreement for expanded wastewater services was discussed.

Mr. Deeds asked about the height of the Fitness Firm building and was told that it is three stories and approx. 35 feet high. The safety of the fire department response to three story buildings was discussed.

**Development Director:**

Mr. Strayer is in Florida in a conference with the Fairfield / 33 Development alliance.

**Community Affairs Director:**

Mrs. Hoover is on vacation, but is working on Christmas in the Village, Breakfast with Santa and the newsletter.

**Council Reports:**

Old Town Committee

Monday, November 8, 2010 at 5:45 PM

Finance Committee

Monday, November 1, 2010 at 5:45 PM

Service Committee

Monday, November 15, 2010 at 5:45 PM

- Mr. Deeds added that the cable TV representatives were in attendance and stated that if there are areas or residents that wish to have coverage to report it to them.
- Mr. Deeds asked if there was interest in having Mr. Peoples look into the cost of keeping the Town Hall doors wooden and just stain them instead of painting them. There was and it will be looked into. Discussion ensued.

Safety Committee

Wednesday, November 3, 2010 at 9:00 AM – 36 S High St - LLCR

Committee of Whole

Monday, November 29, 2010 at 6:30 PM

CW Joint Recreation District Representative

- Mrs. Mershon encouraged everyone to support the parks levy, as did Dr. Bender. Both gave many reasons to support the bringing the park to the Village.

CW Human Services Representative

Main Street Canal Winchester Representative

Canal Winchester Industry &amp; Commerce Corporation Representative

**Old/New Business:**

Mrs. Turner asked about the percentage of brick to vinyl on the proposed senior housing. It was not yet determined. The project still has to go through Planning and Zoning and Landmarks and those issues will be addressed in time.

**Adjourn to Executive Session:**

Not needed at this time.

**Adjournment:**

Mr. Deeds moved to adjourn the meeting; seconded by Mrs. Mershon

**VOTE: AYES**

Dr. Bender, Mr. Wynkoop, Mrs. Mershon

Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

**NAYS**

Motion passed. Time out 7:55pm

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Clerk of Council\_\_\_\_\_  
President of Council\_\_\_\_\_  
Date\_\_\_\_\_  
Mayor

**NOTE:** The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.